

11-26-01

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PTO/SB/05 (03-01)

Please type a plus sign (+) inside this box ☒

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	91.US4.DIV
First Inventor	Stephane BEJANIN, et al.
Title	Human cDNAs and Proteins and Uses Thereof
Express Mail Label No.	EV016276462US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.	8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
3. <input checked="" type="checkbox"/> Specification [Total Pages 394] (preferred arrangement set forth below)	a. <input checked="" type="checkbox"/> Computer Readable Form (CRF)
- Descriptive title of the invention	b. Specification Sequence Listing on:
- Cross Reference to Related Applications	i. <input checked="" type="checkbox"/> CD-ROM or CD-R (2 copies); or
- Statement Regarding Fed sponsored R & D	ii. <input checked="" type="checkbox"/> paper
- Reference to sequence listing, a table, or a computer program listing appendix	c. <input checked="" type="checkbox"/> Statements verifying identity of above copies
- Background of the Invention	
- Brief Summary of the Invention	
- Brief Description of the Drawings (if filed)	
- Detailed Description	
- Claim(s)	
- Abstract of the Disclosure	
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 4]	
5. Oath or Declaration [Total Pages]	
a. <input type="checkbox"/> Newly executed (original or copy)	
b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) (for continuation/divisional with Box 18 completed)	
i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).	
6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	

ACCOMPANYING APPLICATION PARTS

9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))
10. <input type="checkbox"/> 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee)
11. <input type="checkbox"/> English Translation Document (if applicable)
12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449
13. <input type="checkbox"/> Preliminary Amendment
14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. <input type="checkbox"/> Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09 / 924,340

Prior application information: Examiner Group Art Unit: 1845

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

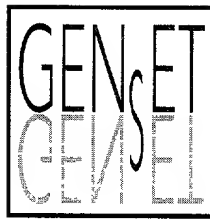
<input type="checkbox"/> Customer Number or Bar Code Label	000027206 (Insert Customer No. or Attach bar code label here)	or <input checked="" type="checkbox"/> Correspondence address below
Name	John Lucas, Ph.D., J.D.	
Address	GENSET CORPORATION 10665 Sorrento Valley Road	
City	San Diego	State CA Zip Code 92121-1609
Country	U.S.A.	Telephone 858/597-2600 Fax 858/597-2601

Name (Print/Type)	John Lucas, Ph.D., J.D.	Registration No. (Attorney/Agent)	43,373
Signature	[Signature]		Date 1/4 Nov 01

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G E N S E T

Direct Dial: (858) 597-2610
E-Mail: john.lucas@genxy.com

November 13, 2001

Express Mail Label No. EV016276462US

Assistant Commissioner for Patents
Box: Patent Application
Washington, D.C. 20231

RE: U.S. Divisional Patent Application
For: HUMAN CDNAS AND PROTEINS AND USES THEREOF
Inventor(s): Stephane Benjanin and Hiroaki Tanaka
Our Ref.: 91.US4.DIV

Dear Sir:

Enclosed please find the above-identified divisional utility patent application for filing with the United States Patent and Trademark Office. This application claims priority on U.S. Serial No. 09/924,340, filed August 6, 2001 and International Patent Application No. PCT/IB01/01715 filed July 13, 2001; U.S. Provisional Application Serial No. 60/302,277, filed June 29, 2001; U.S. Provisional Application Serial No. 60/298,698, filed June 15, 2001; and U.S. Provisional Application Serial No. 60/293,574, filed May 25, 2001. Small Entity status is asserted for this application. The following documents are transmitted herewith:

	Quantity
1) Specification, Tables, Claims and Abstract	394 pages
2) Drawings (Figs. 1-4)	4 sheets
3) Application Data Sheet	4 pages
4) Utility Patent Application Transmittal, Fee Transmittal for FY 2002, Patent Application Fee Determination Record	3 sheets
5) Our check in the amount of \$510.00 for the filing fee - small entity	
6) Paper copy of Sequence Listing	106 pages
7) Copies of the Sequence Listing on CD-ROM	1 CD
8) Sequence Listing Verification Statement	1 page
9) Return Receipt Postcard	

The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment in the processing of these documents to our Deposit Account No. 50-1181.

Very truly yours,

GENSET CORPORATION

John Lucas, Ph.D., J.D.
Reg. No. 43,373

JL/DDP/cmm

Enclosures

cc: Helene Sarraseca (w/encls.)

Certificate of Mailing under 37 CFR 1.10

Express Mail Label No.: EV016276462US Date of Deposit: November 13, 2001
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the Date of Deposit shown above, postage prepaid and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Signature Deno P. Dialynas
Typed or Printed Name of Person Signing Certificate

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 510.00

Complete if Known

Application Number	
Filing Date	November 13, 2001
First Named Inventor	Stephane BENJANIN, et al.
Examiner Name	Unassigned
Group Art Unit	Unknown
Attorney Docket No.	91.US4.DIV

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50-1181
Deposit Account Name Genset Corporation

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	370.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$) 370.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
16	-20** = 0	9	0.00
2	-3** = 0	42	0.00
Multiple Dependent		140	140

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 140.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

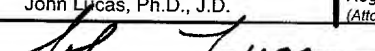
*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00

SUBMITTED BY

Express Mail Label No. EV01627462US

Complete (if applicable)

Name (Print/Type)	John Lucas, Ph.D., J.D.	Registration No. (Attorney/Agent)	43,373	Telephone	(858) 597-2600
Signature		Date	14 Nov 01		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:)
)
Inventor(s) : Stephane Bejanin, Hiroaki Tanaka)
) Art Unit : Unassigned
Serial No. :)
) Examiner : Unassigned
Filed : November 13, 2001)
)
Title : HUMAN CDNAS AND PROTEINS)
AND USES THEREOF)
)

1c996 U.S. PTO
09/992600
11/13/01

SEQUENCE SUBMISSION STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Two (2) copies of the Sequence Listing in computer readable form on CD-ROM and as a hard copy as required by 37 C.F.R. § 1.52(e), § 1.77(b)(4), § 1.821(e) and/or § 1.96(c) are submitted herewith.

As required by 37 C.F.R. § 1.821(f), the data on each of the enclosed disks are identical.

Respectfully submitted,

Dated: 13 Nov 2001

By:

Aaron J. Scalia
Aaron J. Scalia
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10665 Sorrento Valley Road
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(858) 597-2600